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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/825,503

04/15/2004

Jung-hoon Kim

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8579

26530

7590

01/04/2007

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EXAMINER

BOCHNA, DAVID

ART UNIT

PAPER NUMBER

3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/825,503	<b>Applicant(s)</b> KIM, JUNG-HOON	
	<b>Examiner</b> David E. Bochna	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9 and 11-16 is/are rejected.
- 7) ☒ Claim(s) 2 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-8 and 12-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 3 recites the limitation "the joint housing" in line 4. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 12 depends from claim 10, however it appears that claim 12 should depend independent claim 11, clarification is needed.
5. Claim 13 depends from claim 11, however it appears that claim 13 should depend from claim 12, clarification is needed.
6. Claim 13 recites the limitation "the cylindrical joint" in line 3. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 13 recites the limitation "the release handle" in line 6. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 15 recites the limitation "the guide protrusion" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.
9. Claim 16 recites the limitation "the locking recess" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Onishi et al. '613.

In regard to claim 1, Onishi et al. discloses an extension pipe arrangement for a vacuum cleaner, the extension pipe arrangement having a joint which permits extension pipes to bend relative to each other, the extension pipe arrangement comprising:

- a first extension pipe 7;
- a second extension pipe 8 pivotably connected to the first extension pipe; and
- a resilient locking member 21a disposed adjacent the first extension pipe to selectively restrain pivotal movement of the first and the second extension pipes relative to each other, wherein reciprocal movement of the resilient locking member permits release of the locking condition between the first and the second extension pipes so as to permit the extension pipes to pivot relative to each other.

In regard to claim 9, the resilient locking member 21a selectively restrains pivotal movement of the first and the second extension pipes relative to each other to a straight position and a bent angle position, the bent angle position producing an angle between the first and the second extension pipes that ranges essentially from 40 to 50 degrees (see fig. 10).

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12. Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by PCT Publication WO 94/17322.

In regard to claim 11, '322 discloses an extension pipe arrangement for a vacuum cleaner for providing a sealed channel between a cleaner body and a suction brush, the extension pipe arrangement having a joint which permits extension pipes to bend relative to each other, the extension pipe arrangement comprising:

a first extension pipe 63;

a second extension pipe 4 pivotably connected to the first extension pipe and having a plurality of locking recesses 68, 69;

a release handle 66 covering a portion of the outer circumference of the first extension pipe;

at least one resilient locking member 67 having a locking protrusion extending therefrom for selectively engaging one of the plurality of locking recesses when the user effects a sliding movement of the release handle 66, the resilient locking member restraining pivotal movement of the first and the second extension pipes relative to each other when the locking protrusion is engaged within one of the locking recesses; and

a joint cover 3 connected adjacent one side of the second extension pipe and pivoting together with the second extension pipe 4 to seal a connection portion of the first and the second extension pipe, the joint cover having the plurality of locking recesses 68, 69 for receiving the locking protrusion.

***Allowable Subject Matter***

13. Claims 2 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. Claims 3-8 and 12-16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jin et al., Park et al., Creveling, Ell, Tear and Brousseau all disclose similar couplings common in the art.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "David E. Bochna", with a stylized flourish at the end.

David E. Bochna  
Primary Examiner  
Art Unit 3679